

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

DAN BUNKERING (AMERICA) INC.

Plaintiff,

V.

SWIBER MARINE MEXICO, S.A. DE
C.V., RANGER OFFSHORE, INC.,
IN PERSONAM
AND M/V SWIBER ADA *IN REM*

Defendants.

CIVIL ACTION NO.: 4:20-cv-00321
IN ADMIRALTY, Rule 9(h)(C)

**DAN BUNKERING (AMERICA) INC.'S UNOPPOSED MOTION FOR ISSUANCE OF
REQUEST FOR INTERNATIONAL JUDICIAL ASSISTANCE
(LETTER ROGATORY)**

Plaintiff Dan Bunkering (America) Inc. (“Dan Bunkering”), files this Unopposed Motion for Issuance of Request For International Judicial Assistance (Letter Rogatory) (the “Motion”), and would show the Court as follows:

1. On June 9, 2020, Dan Bunkering filed a Verified Amended Complaint in this court. Due to the COVID-19 pandemic, the Central Authority of Mexico, Ministry of Foreign Affairs, entity designated by the Hague Convention on the service of judicial documents, and the and local courts, were closed or operating with a skeleton staff. Upon information and belief, the Central Authority of Mexico, Ministry of Foreign Affairs, and the local courts have partially resumed its operations.

2. Dan Bunkering files this Motion to request the court to authorize issuance of the Letter of Rogatory attached herein as “Exhibit A” to effectuate service of the Summons and

Verified Amended Complaint upon Swiber Marine de Mexico S.A. de C.V. (“Swiber”). Swiber’s principal place of business is Corporativo Antara I, Av Ejército Nacional 843 B, Granada, Miguel Hidalgo, 11520 Ciudad de México, CDMX, Mexico. Federal Rule of Civil Procedure 4(e)(1) authorizes service “by any internationally agreed means of service that is reasonably calculated to give notice, such as those authorized by the Hague Convention on the Service Abroad of Judicial and Extrajudicial Documents.” Mexico is a party to the Hague Convention of 15 November 1965 on the Service Abroad of Judicial and Extra Judicial Documents in Civil and Commercial Matters. For the foregoing reasons, Dan Bunkering files this Motion for issuance of the Letter of Rogatory attached herein as “Exhibit A”, and, for such other relief in which Dan Bunkering is entitled to at law and equity.

Respectfully submitted,

**FOLEY GARDERE
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By: /s/ Anacarolina Estaba

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***ATTORNEYS FOR PLAINTIFF,
DAN BUNKERING (AMERICA) INC.***

CERTIFICATE OF SERVICE

I certify that on October 8, 2020 a copy of the forgoing was electronically filed on the CM/ECF system.

/s/ Anacarolina Estaba

Anacarolina Estaba